THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CIVIL CASE NO. 1:11-cv-00284-MR-DSC

JUDGMENT

For the reasons set forth in the Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's Motion for Judgment on the Pleadings is **GRANTED**; the Defendant's Motion for Summary Judgment is **DENIED**; the Commissioner's decision is **REVERSED**; and this case is hereby **REMANDED** to the Commissioner for further administrative action consistent with the Order filed herewith.

Signed: December 28, 2012

Martin Reidinger

United States District Judge